1605

PATENT
Customer No. 22,852
Attorney Docket No. 3495.0166-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	
Ara HOVANESSIAN et al.	Group Art Unit: 1645
Application No.: 09/825,886	Examiner: R. Zeman
Filed: April 5, 2001	
For: A NOVEL CELL SURFACE RECEPTOR FOR HIV RETROVIRUSES, THERAPEUTIC AND DIAGNOSTIC USES	

Commissioner for Patents
Washington, DC 20231

Attention: **BOX MISSING PARTS**

Sir:

RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATION CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

In response to the communication of September 25, 2002, Applicants submit the attached Preliminary Amendment assigning SEQ ID NOs to the various sequences in the specification. A paper copy of the Sequence Listing was filed on July 26, 2001, and an electronic copy was filed in a prior application.

Therefore, Applicants believe that all of the sequence listing requirements have now been met in this application.

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Please grant any extensions of time required to enter this response, and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.

Dated: October 16, 2002

By: Rebecca M. McNeill
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/825,886	04/05/2001	Ara Hovanessian	3495.0166-02	4489

22852 7590 09/25/2002

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EXAMINER	
ZEMAN, ROBERT A	
ART UNIT	**PAPER NUMBER**
1645	10

DATE MAILED: 09/25/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Docketed 9-30-02 Attorney JCJM | RMM
Case 03495-0166-02
Due Date 10-25-02 | Ext
Action Reference using DUC
By SDS
1 MO

PTO-90C (Rev. 07-01)

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
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DEA/FCE-1994

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
09/825,886			

EXAMINER	
Robert A. Zeman	
ART UNIT	PAPER NUMBER
1645	

DATE MAILED:

Please find below a communication from the EXAMINER in charge of this application

Commissioner of Patents

1. This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 C.F.R. § 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 C.F.R. §§ 1.821-1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures.

2. Any inquiry concerning this communication should be directed to Examiner Robert A. Zeman, Art Unit 1645, whose telephone number is (703)308-7991.

3. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0196.

4. Any questions regarding compliance with the sequence rules requirements specifically should be directed to the departments listed at the bottom of the Notice to Comply.

5. APPLICANT IS GIVEN ONE MONTH FROM THE DATE OF THIS LETTER WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 C.R.F. §§ 1.821-1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 C.F.R. § 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 C.F.R. § 1.136. In no case may an applicant extend the period for response beyond the six month statutory period. Direct the response to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the response.

September 24, 2002
Robert A. Zeman

Application No.: 09/825,886

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

OIPE JC1/80 OCT 16 2002 PATENT & TRADEMARK OFFICE

- [X] 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- [ ] 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- [ ] 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- [ ] 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- [ ] 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- [ ] 6. The paper copy of the "Sequence Listing" is not the same as the computer readable from of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- [X] 7. Other the specification contains sequences without being identified by the requisite SEQ ID NOs. See pages 43, 47-48, 117 and table 3 for examples.

Applicant Must Provide:

- [ ] An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- [ ] An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- [ ] A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216
For CRF Submission Help, call (703) 308-4212
PatentIn Software Program Support
Technical Assistance.....703-287-0200
To Purchase PatentIn Software.....703-306-2600

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